

**Minutes of the Regular Meeting of the  
Buena Vista Planning and Zoning Commission  
March 3, 2010**

**CALL TO ORDER**

A Regular meeting of the Planning and Zoning Commission was called to order at 6:05 PM, Wednesday, March 3, 2010, at the Buena Vista Community Center, Pinon Room, 715 E. Main Street, Buena Vista, Colorado by Chairwoman Baker. Present were Chairwoman Baker, Commissioners Ken Keller, Jed Selby, Town Planner Shannon Haydin, and Deputy Town Clerk Jennifer Dixon.

**ROLL CALL**

Deputy Town Clerk Dixon proceeded with the roll call and declared a quorum.

**PLEDGE OF ALLEGIANCE**

Chairwoman Baker led in the Pledge of Allegiance.

**AGENDA ADOPTION**

Chairwoman Baker called for amendments to the agenda. There was the addition of item A "Street Design" under old business and removing item D "Premier Landscape Plan" from new business. **Motion #1** by Chairwoman Baker, seconded by Commissioner Selby, to adopt the agenda as amended. Motion carried.

**Approval of the Minutes**

Chairwoman Baker called for approval of the February 17, 2010 minutes with the recommended changes. **Motion #2** by Commissioner Selby, seconded by Chairwoman Baker, to adopt the minutes with the recommended changes. Motion carried. Commissioner Keller abstained from the vote.

**PUBLIC COMMENT**

Chairwoman Baker opened the public comment portion of the hearing at 6:11 PM. Katie Urban and Jed Selby wanted to wait to see if there were any questions. With no other comments received, the public comment portion of the hearing was closed at 6:11 PM.

**RESPONSE TO PUBLIC COMMENT**

None

**NEW BUSINESS**

Commissioner Selby recused himself.

**A. Special Use Permit for S. Main Community Garden**

Planner Haydin presented the special use permit submitted by Katie Urban on February 11, 2010. Katie is representing the South Main Neighborhood Association. The request is to allow a community garden on property zoned Open Space in the South Main Planned Unit Development (PUD). Special Uses in the South Main PUD are addressed as follows:

"All uses deemed appropriate by the Town of Buena Vista Planning & Zoning Commission based upon: compatibility with adjoining uses, pedestrian access, traffic general and impact, impacts from noise, odor, vibration, glare and parking demands"

The intent of the Open Space District is, "to provide areas for water retention, wildlife, and active and passive recreation for subdivision residents".

Planner Haydin reviewed the analysis and findings as stated in her staff report. Planner Haydin also reviewed the Addition criteria from the South Main PUD that requires the following criteria be met to allow the Community Garden as a special use in the Open Space District:

- (1) Compatibility with adjoining uses. *The Community Garden is compatible with surrounding uses and is appropriate in the Open Space District.*
- (2) Pedestrian access. *There are sidewalks adjacent to the project.*
- (3) Traffic general and impact. *No additional traffic will be generated by the garden; it is intended to be used by the residents in the neighborhood.*
- (4) Impacts from noise, odor, vibration, glare and parking demands. *No noise, odor, vibration, glare or parking concerns would be generated by this project.*

After discussion the following motion was made:

**Motion #3** by Chairwoman Baker, Commissioner Keller seconded to recommend to the Board of Trustees approval for the Special Use Permit with the following conditions:

1. At the time that the property is deeded to the Town of Buena Vista, a separate license agreement between the Neighborhood Association and the Town must be executed.
2. Signs must meet the criteria of the sign code.
3. Pending legal review for the maximum height of the fence and that it meets town code.
4. The site must be maintained and that no unsightly tarps, baskets, tools, string, etcetera are visible from the street.
5. Failure to maintain the garden may initiate the town removal and restoration of the site by the town.
6. The town is not liable for the garden until it is turned over to the town per the deed per license agreement.

Motion carried

#### **B. Colorado Kitchens Comprehensive and Special Review Sign**

On January 26, 2010, Doug Robison submitted an application for a Comprehensive Sign Plan and Special Review sign permit to allow a new internally lit vinyl sign to replace an existing internally lit vinyl sign and to allow a new wall mural on the east side of the building. The existing internally lit vinyl sign is 9 feet wide by 3 feet tall for a total of 27 square feet in size; the new sign would be the same size. The new wall mural would be 8 feet wide and 3 feet tall for a total of 24 square feet. Total sign area for all signs on the property would be 51 square feet.

The site is zoned B-1. In the B-1 zone district, the Sign Code allows two signs and a maximum sign area of 40 square feet; no one sign can exceed 24 square feet in size.

Chairwoman Baker asked what the design of the sign was going to look like. Doug stated that his intent for this sign was that the lettering would be consistent with the drawing he drew for the mural on the side of the building. Just lettering that states "Central Colorado Kitchens." Chairwoman Baker also questioned why he would prefer the back lit vinyl verses a nice wood sign. Doug responded that the back lit vinyl was existing and referred to the price list he provided. Doug does not own the building and the owner would like the box to remain.

There was a suggestion from the P & Z commission that a painted wood sign that could be inserted or placed over the existing box.

Commissioner Selby explained the intent of the Planning and Zoning Commission was to create an historic downtown area and back lit vinyl is not considered historic.

Doug stated that his intent is after the store is doing better he would like to improve the look of the building and the signs.

There was a suggestion to keep the permit open for when Doug would like to come back before Planning and Zoning to improve the sign at no additional fee.

Ben Johnson 427 Chestnut, Buena Vista, CO 81211 Ask if he could put the vinyl and not back lit it and add a clause with a certain amount of time when he would have to remove.

**Motion # 4** by Commissioner Selby, Commissioner Keller seconded, to allow for the increase in size to the sign currently on the building also to approve the sign on the side of the building per the sign plan. Approve the sign to be built out of wood. The sign plan may be amended in the future without additional fee in the future. Motion carried.

Planner Haydin notified Doug that he has the approvals he needed to start on his sign.

#### **C. The View Special Comprehensive and Special Review Sign Plan**

Planner Haydin reviewed her staff report regarding the Best Western signs. In review of the sign application it was discovered that there were other signs that needed to be permitted and they are now included in this permit.

Staff made the following recommendations:

1. Approval of the additional internally lit vinyl sign. The addition of the new sign is small and will result in the removal of a similarly sized sign that currently is attached to the existing sign. The addition functions as an extension of the existing sign.
2. Approval of the three hand painted sandwich board signs until such time that they become damaged and need to be replaced. At such time, the applicant shall be allowed to have one sandwich board sign.
3. Approval of the two hand painted wood signs affixed to the fence until such time that they become damaged and need to be replaced.
4. Staff recommends denial of the request for the banner to remain.

Once the signs that are allowed to remain until damaged are removed, total sign area for permanent signs on the property would be as follows:

Best Western (Hotel)	60 square feet
The View (Coffee)	15 square feet (new internally lit vinyl sign)
	6 square feet (three 2 x 3 foot sandwich boards)

These signs will total 81 square feet.

Brett Jewel, owner of the Best Western, stated that the banner sign has already been removed.

**Motion #5** by Chairwoman Baker, Commissioner Keller seconded. The approval of the Comprehensive Sign Plan and Special Review Sign Permit with the following three conditions:

1. As the sandwich boards become damaged or destroyed, they cannot be replaced except that the applicant is allowed to have one sandwich board style sign.
2. As the fence signs become damaged or destroyed, they cannot be replaced.

3. The permit application remains open for any amendments without additional fee.

Motion carried.

### **OLD BUSINESS**

#### **A. Street Design**

Planner Haydin stated that Rachel Freidman, Town Engineer, is working on the Public Works Manual and one of the items is something we talked about regarding standard cross sections throughout town. It is her intention to bring the manual before Planning and Zoning for review. There are a lot of things the manual will impact in the subdivision and zoning code in a lot of respects. Planner Haydin would like the Planning and Zoning Commission to review that manual with the Smart Grown Manuals. Deputy Town Clerk Dixon will print the manuals for the Commission.

### **CHAFFEE COUNTY REPORT**

Nothing at this time

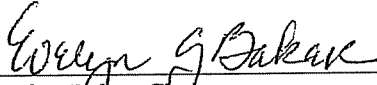
### **STAFF REPORT**

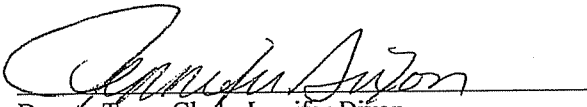
Nature's Pantry wants to put murals and chalk board signs in their windows where the shelving is showing. After Planner Haydin discussed with the Town Attorney Jeff Parker it was determined this would be exempt from the sign code. For this project Planner Haydin did not see this as being an issue; however it may be something we want to be mindful of and watch out for future issues.

### **ADJOURNMENT**

**Motion #5** by Commissioner Selby, seconded by Commissioner Keller, noting that there being no further business to come before the Board declared that the meeting be adjourned at 8:16 PM. Motion carried.

Respectfully submitted:

  
Evelyn Baker, Chairwoman

  
Deputy Town Clerk, Jennifer Dixon